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More effectually to prevent the Stealing of Deer;
and to repeal several former Statutes made for
the like Purpose.

*Note.—The Figures in the Margin denote the Number of the
Folios in the written Copy.*

W H E R E A S the Statutes now in Force, for the
Discovery and Punishment of Deer Stealers, are
numerous, and many of them ineffectual :

A N D whereas the good Purposes thereby in-
tended might be better effected, if such of the said Statutes
as are found to be defective were repealed, and such good Pro-
visions as are therein contained, together with such further
Provisions as may be expedient, were reduced into One Act :

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Be

Be it therefore Enacted by the KING's Most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons shall course or hunt, or shall take in any Slip, Noose, Toyle, or Snare, or shall kill, wound, or destroy, or shall shoot at, or otherwise attempt to kill, wound, or destroy, or shall carry away any Red or Fallow Deer, in any Forest, Chase, or Purlieu, whether inclosed or not, or in any inclosed Park, Paddock, Wood, or other inclosed Ground, where Deer are, have been, or shall be usually kept, without the Consent of the Owner, or without being otherwise duly authorized, or shall be aiding, abetting, or assisting therein or thereunto, every Person so offending by coursing, hunting, shooting at, or otherwise attempting to kill, wound, or destroy, or by aiding therein or thereunto, shall forfeit for every such Offence the Sum of and every Person so offending by killing, wounding, or destroying, or by taking in any Slip, Noose, Toyle, or Snare, or by carrying away, or by aiding therein, respectively, shall, for every Deer so wounded, killed, destroyed, taken, or carried away, forfeit and pay the Sum of and if the Offender, in any of the Cases aforesaid, shall be a Keeper of, or Person in any Manner entrusted with, the Custody or Care of Deer in the Forest, Chase, Purlieu, or inclosed Park, Paddock, or Wood, or other inclosed Place, where the Offence shall be committed, every such Offender shall forfeit and pay the Penalty hereinbefore appointed to be paid by other Offenders; and if any Person or Persons, after having been convicted of either of the aforesaid Offences, shall offend a Second Time against this Act, by committing either of the aforesaid Offences, such Second Offence, whether it be the same as the First Offence, or be any other of the aforesaid Offences, shall be deemed and adjudged to be and the Person guilty thereof, being lawfully convicted upon Indictment, shall be in like Manner as other Offenders may be by the Laws now, or which for the Time being shall be, in Force; and if any such Person shall return into any Part of Great Britain or Ireland, within the said every such Person shall be

And be it further Enacted, That every Person who hath been, or before the Commencement of this Act shall be, convicted

viated under any Statute now in Force, for unlawfully hunting, coursing, killing, taking, or carrying away, any Deer out of any Forest, Chase, or Purlieu, Park, Paddock, Wood, or inclosed Ground, shall be subject and liable to the several Pains and Penalties by such Statute provided, in like Manner as if this Act had not been made; and in case any such Offender shall, after the Commencement of this Act, be guilty and convicted of any of the aforesaid Offences against this Act, (the proper Certificate of such First or former Conviction having been filed or recorded with the Clerk of the Peace in due Form,) every such Person shall be deemed and adjudged to have committed a Second Offence against this Act, in like Manner as if this Act had been in Force at the Time of such First Conviction, and as if such Conviction had been made under the Provisions of this Act.

And to the Intent that the Prosecution of Persons, who shall offend a Second Time in Manner aforesaid, may be carried on with as little Expence and Trouble as is possible, **Be it further Enacted**, That the Justice before whom any Person shall be convicted, for the First Time, of either of the Offences before described, shall transmit such Conviction, under his Hand and Seal, to the Quarter Session which next after such Conviction shall be holden for the County, Riding, Division, City, Town, or Place, wherein such First Offence shall be committed, there to be filed by the Clerk of the Peace, and to be kept amongst the Records of the Peace; and such Conviction so filed, or a true Copy thereof certified and subscribed by such Clerk of the Peace, shall be sufficient Evidence to prove the Conviction of such First Offence as aforesaid. 5

And be it further Enacted, That it shall be lawful for any One Justice of the Peace, upon Complaint made to him on Oath, by any credible Person, that there is Reason to suspect any Person or Persons of having in his, her, or their Custody or Possession, or in any Dwelling House, Out House, Yard, Garden, or Place, any Red or Fallow Deer which shall have been unlawfully killed, or the Head, Skin, or other Part thereof, or any Slip, Noose, Toyle, or Share, for the unlawful taking of Deer, by Warrant under his Hand and Seal, to cause such Person and Persons, and such Dwelling House, Out House, Garden, or Place, to be searched; and if any Red or Fallow Deer, suspected to have been unlawfully killed, or the Head, Skin, or other Part thereof, or any Slip, 6

Slip, Noose, Toyle, or Snare, suspected to be used for the unlawful taking of Deer, shall be found in his, her, or their Custody or Possession, or in such Dwelling House, Out House, Garden, or Place, to cause the same, and such Person or Persons so having Possession, or in whose Dwelling House, Out House, Garden, or other Place, the same shall be found, to be brought before any Justice of the Peace having Jurisdiction; and if such Person or Persons shall not produce before such Justice the Party of whom he, she, or they received the same, or satisfy such Justice that he, she, or they came lawfully by such Deer, or the Head, Skin, or other Part thereof, or had a lawful Occasion for such Slip, Noose, Toyle, or Snare, or did not keep the same for any unlawful Purpose, then every such Person shall forfeit any Sum not exceeding nor less than at the Discretion of such Justice.

And be it further Enacted, That in case any Person or Persons shall set, lay, or use, any Net, Wire, Slip, Noose, or Toyle, for the Purpose of taking Deer, within or upon any Forest or Chase, or in the Ring or outer Fence, or Bank, dividing the same from the adjoining Lands, or in any inclosed Park, Paddock, Wood, or Ground, where Deer are, have been, or shall be, usually kept, such Person or Persons not being the Owner of such Forest, Chase, Park, Paddock, Wood, or Ground, or intrusted with the Care of the Deer within the same, and shall be convicted of either of such Offences, every such Offender shall forfeit and pay, for the First Offence, any Sum not exceeding nor less than and if afterwards convicted of any of the Offences last mentioned, shall, on every Conviction after the First, forfeit and pay any Sum not exceeding nor less than which said respective Forfeitures shall be set at the Discretion of the Justice or Justices before whom the Offender or Offenders shall be convicted of such First or further Offence.

And be it further Enacted, That if any Red or Fallow Deer, suspected to have been unlawfully killed, or the Head, Skin, or other Part of such Deer, shall, on a Search under a Warrant from any Justice of the Peace, be found in the Possession or Custody of any Person or Persons, or in any Dwelling House, Out House, Garden, or other Place, or shall be proved to have been in the Possession, House, Out House, Garden, or Place, of any Person or Persons who may be justly suspected

to have come dishonestly or unlawfully by the same, as aforesaid, and such Person or Persons so in Possession, or the Owner 9
or Occupier of such Dwelling House, Out House, Garden, or other Place, shall not, under the Provisions aforesaid, be liable to Conviction, then and in every such Case, for the Discovery of the Party or Parties who actually killed or stole such Deer, it shall and may be lawful to and for any Justice of the Peace having Jurisdiction, (as the Evidence given, and the Circumstances of the Case shall require) to summon before him, at his Discretion, every Person through whose Hands such Deer, or the Head, Skin, or other Part thereof, so found, shall appear to have passed; and the Person and Persons from whom such Deer, or the Head, Skin, or other Part thereof, shall appear to have been first received, or who, having had Possession thereof, shall not give Proof to the Satisfaction of such Justice, that he, she, or they came lawfully by the same, shall, on every Conviction, forfeit and pay any Sum not exceeding
nor less than at
the Discretion of such Justice.

And be it further Enacted, That in case it shall ap- 10
pear, on the Oath of a credible Witness, that any Person or Persons hath or have had in his, her, or their Possession, House, Out House, Garden, or Place, any Red or Fallow Deer, or the Skin, Head, or other Part thereof, and shall be reasonably suspected to have come dishonestly or unlawfully thereby, then and in every such Case, every such Person or Persons, and all other Persons through whose Hands the same shall appear to have passed, under the like Suspicion, shall and may be proceeded against in like Manner and Form, and on Conviction shall be subject and liable to the same Penalty or Penalties, as if such Deer, or the Head, Skin, or other Part thereof, had been found in such Possession, House, Out House, Garden, or Place, upon a Search made under and by virtue of any such Warrant as aforesaid.

And be it further Enacted, That if any Person or Persons shall at any Time wilfully pull down or destroy, or cause to be wilfully pulled down or destroyed, the Pale or Pales, or any Part of the Walls, of any Forest, Chase, Purlieu, Park, 11
Paddock, Wood, or other Ground, where any Red or Fallow Deer shall be then kept, without the Consent of the Owner, or Person chiefly intrusted with the Custody thereof, or being otherwise duly authorized, every Person so offending shall be
subject

subject unto the Forfeiture and Penalty hereby inflicted for the First Offence of killing of any Deer.

- And be it further Enacted, That if any Person or Persons, carrying any Gun, or other Fire Arms, or any Sword, Staff, or other offensive Weapon, shall come into any Forest, Chase, or Purlieu, or into any inclosed Park, Paddock, Wood, or into any other Ground wherein Deer are usually kept, be the same inclosed or not inclosed, with an Intent unlawfully to shoot at, course, or hunt, or to take in any Slip, Noose, Toyle, or Snare, or to kill, wound, destroy, or take away, any Red or Fallow Deer, it shall be lawful for every Ranger or Keeper, or Person intrusted with the Care of such Deer, to seize and take from such Person and Persons in and upon
- 12 such Forest, Chase, Park, Paddock, Wood, or other Ground, to and for the Use of the Owner thereof respectively, all such Guns, Fire Arms, Slips, Nooses, Toyles, and Snares, and all Dogs there brought for coursing Deer, in the same and like Manner as the Game-Keepers of the Lords and Ladies of Manors are impowered by Law, within their respective Manors, to seize and take Dogs, Nets, or other Engines, in the Custody of Persons not qualified by the Laws to keep the same; and if any such Person or Persons shall there unlawfully beat or wound any Ranger or Keeper, or his or their Servants or Assistants, in the Execution of his or their Office or Offices, or shall attempt to rescue any Person in the lawful Custody of any such Ranger, Keeper, Servant, or Assistant, every Person so offending shall be deemed and adjudged to be and, on being lawfully convicted on Indictment, shall be in like Manner as other
- 13 Offenders may be by the Laws now, or which for the Time being shall be, in Force; and if such Person or Persons shall return into any Part of *Great Britain* or *Ireland* within the said every such Person and Persons shall be

And be it further Enacted, That all the pecuniary Penalties of this Act shall be recoverable before One or more Justice or Justices of the Peace for the County, or other Division, in which the Offence shall be committed, on Proof of the Offence by the Oath of One or more credible Witnesses or Witnesses, or on Confession of the Offender, and of each Penalty shall belong to the King's Majesty, His Heirs and Successors, and be paid for His and their Use into

into the Hands of such Person or Persons as the said Justice or Justices shall direct, and thereof shall belong and be paid to the Informer or Informers prosecuting for the same; and in case of Non Payment thereof, with the Charges incident to the Conviction, immediately upon the Conviction, the said Penalty or Penalties, and the Charges 14 incident, shall be levied by of the Goods and Chattels of every such Offender, by Warrant under the Hand and Seal or Hands and Seals of the Justice or Justices before whom such Conviction shall be made; and for want of sufficient the Offender or Offenders shall be sent by the said Justice or Justices to the of the County or Place where the Offence shall be committed, for the Space of unless the said Penalty, and Charges incident, shall be sooner paid.

And to the end that Persons convicted of any of the Offences, for which pecuniary Penalties are inflicted by this Act, may not, by Flight or Removal after Conviction, evade Imprisonment, where such Penalties shall not be paid on Conviction, and sufficient Distress cannot be found for raising such Penalties, **Be it further Enacted**, That it shall and may be lawful for the Justice or Justices of the Peace, before whom any Offender shall be convicted of having incurred any pecuniary Penalty of this Act, immediately after 15 such Conviction, to order him or her into Custody, in case he or she shall not immediately pay the Penalty due on such Conviction, during such Time, not exceeding

Days, as such Justice or Justices shall think proper to allow for Return of the Warrant for raising the Penalty by as aforesaid.

And be it further Enacted, That it shall and may be lawful for any Keeper or Under Keeper of any Forest Chase, Purlieu, Paddock, Park, or other Ground inclosed, where Deer are, have been, or shall be usually kept, and their Servants or Assistants, to seize and apprehend upon the Spot any Person or Persons whom they shall discover in the actual Fact of hunting, coursing, killing, wounding, shooting at, taking, destroying, or carrying away, any Red or Fallow Deer from any such Forest Chase, or Purlieu, whether inclosed or not; or in any inclosed Park, Paddock, Wood, or in any other inclosed Ground, or attempting so to do, or in setting 16 or laying any Net, Wire, Slip Noose, Toyle, or Snare therein, for

for the taking or destroying of Deer therein, and to carry such Offender or Offenders before some neighbouring Justice of the Peace to be dealt with according to Law.

And for the better Discovery of Offenders against this Act, Be it further Enacted, That any Person who shall offend against this Act, and shall make Discovery of any other Person or Persons who hath or have offended against the same, so as he, she, or they, be duly convicted of such Offence according to this Act, then and in such Case such Discoverer shall be discharged of all the Forfeitures and Penalties of this Act, by him, her, or them, incurred, previous to such Discovery.

And in order to prevent the Quashing of Convictions of Offenders against this Act for Want of Form, **Be it further Enacted**, That the Conviction and Convictions of all and every Offenders against this Act, shall be certified by the Justice or Justices of the Peace before whom the same shall be made, to the next General Quarter Sessions of the Peace, to be filed amongst the Records of the said Sessions, and that such Conviction shall be fairly written on Parchment, or Paper, in the following Form of Words, as the Case shall happen, or in any other Form of Words to the like Effect; that is to say, (to wit)

" Be it remembered, That on the Day of
 " in the Year
 " A. B. was, upon the Complaint of C. D. convicted
 " before of the Justices of the Peace
 " for in pursuance of an Act, passed in
 " the Year of the Reign of His
 " Majesty King George the Third, for "
 (as the Case shall be.) " Given under Hand
 " and Seal the Day and Year above-written."

18 Which said Conviction shall be good and effectual in Law to all Intents and Purposes, and shall not be quashed, set aside, or adjudged void or insufficient, for Want of any Form or Words whatsoever.

And be it further Enacted, That no *Certiorari* shall be allowed to remove any Conviction made, or other Proceedings of, for, or concerning, any Matter or Thing in this Act, unless

unless the Party or Parties convicted shall, before the Allowance of such *Certiorari*, become bound to the Person or Persons prosecuting, in the Sum of with sufficient Sureties, as the Justice or Justices of the Peace before whom the Offender was convicted, with Condition to pay unto the said Prosecutors, within Days after such Conviction confirmed on a *Procedendo* granted, their full Costs and Damages, to be ascertained upon their Oaths; and shall become also bound to the Justice or Justices of the Peace before whom such Conviction was made, with such sufficient Sureties as such Justice or Justices shall approve of, 19 in the Penalty of for each Offence, with Condition to prosecute such Writ of *Certiorari* with Effect, and to pay such Justice or Justices the Forfeitures due by such Conviction, to be distributed as by this Act is directed, or to render the Person or Persons convicted to such Justice or Justices within next after such Conviction shall be confirmed, or a *Procedendo* granted; and that, in Default thereof, it shall be lawful to proceed to the levying of the Penalty mentioned in such Conviction, in such Manner as if no such *Certiorari* had been awarded.

And be it further Enacted, That after the Confirmation of any Conviction or Convictions upon this Act, by any of the superior Courts at *Westminster*, and delivering the Rule to the said Justice or Justices, whereby such Conviction or Convictions hath or have been so confirmed, it shall and may be lawful for such Justice or Justices to proceed against the Party 20 or Parties convicted, in the same Manner as if a *Procedendo* had been granted.

Provided also, and be it Enacted, That if any Person or Persons shall be sued or prosecuted for any Matter or Thing which he or they shall do in Pursuance of this Act, it shall and may be lawful to and for the Person or Persons so sued or prosecuted, to plead the General Issue, and give the special Matter in Evidence; and if a Verdict shall pass for the Defendant, or the Plaintiff shall become Nonsuit, or suffer a Discontinuance, or if, upon a Demurrer, Judgment shall be given against the Plaintiff, the Defendant shall have and recover his Costs, and have the like Remedy for the same as any Defendant hath in any other Case by Law.

And

And be it further Enacted, That every Prosecution, for any Offence against this Act, shall be commenced within but not after, from the Time of the Offence committed.

21 And be it further Enacted, That all Actions, Writs, and Prosecutions, to be commenced against any Person or Persons for any Thing to be done under or in Pursuance of this Act, shall be laid and tried in the County or Place where the Fact was committed, and shall be commenced within after the Fact committed, and not otherwise.

And be it further Enacted, That this Act shall commence and begin to be in Force on the and from and immediately after the Commencement thereof, so much of the Thirteenth Chapter of the First Part of the Statutes, made in the Thirteenth Year of the Reign of *Richard* the Second, as inflicts a Penalty on those who shall use Heys, Nets, or other Engines for destroying Deer; so much of the Eleventh Chapter of the Statutes, made in the Nineteenth Year of the Reign of King *Henry* the Seventh, as relates to Deer; and also so much of an Act, made in the Fifth Year of the Reign of Queen *Elizabeth*, intituled, "An Act for
22 "punishing of unlawful taking Fish, Deer, or Hawks," as relates to Deer; and also so much of an Act, made in the Third Year of the Reign of King *James* the First, intituled, "An Act against unlawful hunting and stealing of Deer and "Conies," as relates to Deer, or to the unlawful breaking or entering into any Park impaled, or any other several Ground inclosed with Wall, Pale, or Hedge; and also so much of an Act, made in the Seventh Year of the Reign of the said King *James* the First, intituled, "An Act for the Explanation of "One Statute, made in the Second Session of this present "Parliament, intituled, An Act against unlawful hunting "and stealing of Deer and Conies," as relates to Deer, (except such Part thereof as repeals any Part of the Statute of the Third of *James* before mentioned); and also an Act, made in the Thirteenth Year of the Reign of King *Charles* the Second, intituled, "An Act to prevent the unlawful coursing, hunting, "or killing of Deer;" as also an Act, made in the Third and
23 Fourth Years of the Reign of their late Majesties King *William* and Queen *Mary*, intituled, "An Act for the more effectual "Discovery and Punishment of Deer Stealers;" and also an Act, made in the Fifth Year of the Reign of his late Majesty King

King *George* the First, intituled, " An Act for making more
 " effectual an Act of the Third and Fourth Years of the Reign
 " of King *William* and Queen *Mary*, intituled, An Act for
 " the more effectual Discovery and Punishment of Deer
 " Stealers;" and also an Act, passed in the said Fifth Year
 of the Reign of his late Majesty King *George* the First, inti-
 tuled, " An Act for the further Punishment of such Persons
 " as shall unlawfully kill or destroy Deer in Parks, Paddocks,
 " or other inclosed Grounds;" and also so much of an
 Act, made in the Tenth Year of the Reign of his late
 Majesty King *George* the Second, intituled, " An Act
 " for continuing an Act for the more effectual punish-
 " ing wicked and evil-disposed Persons going armed in
 " Disguise, and doing Injuries and Violences to the Per- 24
 " sons and Properties of His Majesty's Subjects, and for
 " the more speedy bringing the Offenders to Justice, and
 " for the continuing Two Clauses, to prevent the cutting
 " or breaking down the Bank of any River or Sea Bank,
 " and to prevent the malicious cutting of Hop Binds, con-
 " tained in an Act, passed in the Sixth Year of His present
 " Majesty's Reign, and for the more effectual Punishment of
 " Persons removing any Materials used for securing Marsh or
 " Sea Walls or Banks, and of Persons maliciously setting
 " on Fire any Mine, Pit, or Delph of Coal, or Cannel Coal,
 " and of Persons, unlawfully hunting or taking any Red or
 " Fallow Deer in Forests or Chases, or beating or wounding
 " Keepers, or other Officers, in Forests, Chases, or Parks,
 " and for the more effectually securing the Breed of Wild
 " Fowl," as relates to the Second Conviction of any Person
 or Persons for unlawfully coursing, hunting, taking in Toyles,
 killing, wounding, or taking away, any Red or Fallow Deer, 25
 in any open or uninclosed Forest or Chase, or relates to
 beating or wounding Keepers, or other Officers, in Forests,
 Chases, or Parks, shall be, and the same are hereby re-
 spectively

Provided always, and be it further Enacted, That no-
 thing contained in this Act shall extend to that Part of *Great*
Britain called *Scotland*.

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Stealing of Deer; and to repeal
several former Statutes made for
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